

County division. He served there as a detective until moving to the Commonwealth Attorney's Office in 1980. Throughout his time there, Mr. Mabie investigated major cases involving capital charges, and was successful in bringing convictions in all but one case.

In 1991, Mr. Mabie was elected as Clerk of the Circuit Court in Prince William County, where he has tirelessly worked for the citizens of Northern Virginia. As Circuit Court Clerk, Mr. Mabie has been responsible for organizing regular staff meetings, assisting in the automation of land records, and instituting a dispute resolution program which strives to resolve family conflicts outside the courtroom.

Mr. Mabie has been involved with numerous civic organizations such as the United Way, Regional Jail Board, and the Chamber of Commerce. He will retire on April 1, 2007, and join his wife, Copper, managing the Red Door Art Center in Louisa, Virginia. He also plans to work part-time with the Prince William County Sheriff's Office two days a week.

Madam Speaker, in closing, I would like to extend my heartfelt thanks to Dave Mabie for his years of service and dedication to the Northern Virginia community. I ask my colleagues to join me in congratulating Mr. Mabie on his retirement and wishing him the best of luck in all future endeavors.

THE "SAFE AMERICAN ROADS ACT
OF 2007"

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2007

Mr. OBERSTAR. Madam Speaker, I am proud to be an original co-sponsor of the "Safe American Roads Act of 2007," introduced today by the gentlewoman from Kansas (Mrs. BOYDA). This legislation ensures the safety of the traveling public on America's roads as our Nation seeks to honor its commitments under the North American Free Trade Agreement (NAFTA).

Since 1995, the opening of the border between the United States and Mexico to cross-border motor vehicle traffic has been delayed due to concerns over whether opening the border would adversely impact safety on U.S. roads. While the U.S. Department of Transportation (DOT) has made considerable progress over the last decade, several unanswered questions remain about whether the necessary systems are in place today to hold Mexico-domiciled motor carriers to the same strict Federal standards that govern U.S. commercial truck operations.

It is because of these unanswered questions that we must introduce this bill. In 2001, Congress passed the FY 2002 Department of Transportation and Related Agencies Appropriations Act (Public Law 107-87), which prohibited DOT from using funds to grant long-haul operating authority to Mexico-domiciled motor carriers until 22 safety requirements had been met. Section 350 of this Act set forth a comprehensive list of vehicle, driver, and safety management requirements, including drug and alcohol testing, hours of service, driver qualifications, vehicle specifications and maintenance, and safety management practices.

The DOT Inspector General (IG) was required to review whether the Department was

prepared to comply with several of these provisions. This audit was completed, as well as several follow-up audits. However, independent certification of actual compliance with all of the conditions set forth in Section 350 was not required, and has not occurred.

It is well established that Mexican law does not require many fundamental elements of highway safety that are required for U.S. drivers. Mexican drivers are not subject to hours-of-service restrictions comparable to those governing U.S. drivers. Anecdotal evidence suggests that working hours for truck drivers in Mexico go far beyond anyone's estimate of a safe, reasonable limit. Drug and alcohol testing is also an area of concern, because Mexico does not have certified drug testing labs. To comply with U.S. regulations, drug test collection facilities in Mexico send specimens to labs in the United States for processing. Chain-of-custody issues make compliance with U.S. drug and alcohol requirements very difficult to gauge. Further, many challenges remain in implementing the requirement established in the Safe, Accountable, Flexible, Efficient Transportation Act: A Legacy for Users (SAFETEA-LU) (Public Law 109-59), that all Mexican drivers be subjected to the same rigorous criminal and security background checks that U.S. drivers undergo in order to be permitted to transport hazardous materials.

Despite these concerns, DOT has announced plans for a pilot program to grant 100 Mexico-domiciled trucking companies the authority to conduct long-haul operations in the United States. If foreign carriers do not comply fully with all U.S. motor carrier safety laws, the safety of the American traveling public is placed in jeopardy. This pilot program is the first test of whether the provisions of Section 350, as well as other safety measures, exist in the real world, and are not just satisfied on paper.

H.R. _____, the Safe American Roads Act of 2007, will restore accountability and fairness to the process of opening the border, and ensure that the U.S. proceeds with caution while outstanding safety issues are verified. The Act prohibits DOT from granting authority to Mexico-domiciled motor carriers to operate beyond the commercial zones on the U.S.-Mexico border, except under a pilot program that meets the requirements set out in the bill. The bill also requires the following: The pilot program must meet all 22 requirements of Section 350 (Public Law 107-87) and all requirements set forth under Transportation Equity Act for the 21st Century (TEA 21) (Public Law 105-85) relating to pilot programs; DOT must provide, prior to initiation of the pilot program, an opportunity for public comment on the details of a pilot program, including the measures in place to protect the health and safety of the public, enforcement measures, penalties for non-compliance, and safety metrics to evaluate the pilot; a pilot program to grant long-haul operating authority to Mexico-domiciled motor carriers must be terminated after one year of enactment of this Act; the IG must review the pilot program to determine whether Mexico-domiciled motor carriers participating in the pilot program are in full compliance with U.S. motor carrier safety laws, including the provisions detailed in Section 350, and report his findings to Congress within 90 days of completion of the pilot program; and DOT must report to Congress on the results of the pilot program within 60 days of completion of the pilot program.

This bill also prohibits the Secretary from initiating a pilot program until U.S. motor carriers are allowed to begin comparable operations in Mexico. DOT has received nearly 900 applications from Mexican carriers seeking operating authority in the U.S. Under the pilot program, 100 U.S. companies are to receive reciprocal authority to operate in Mexico, yet to date DOT has received very few applications from U.S. firms. DOT estimates that the Mexican government will not be ready to process the applications of U.S. carriers for at least six months. This bill will ensure that the United States is not placed at a competitive disadvantage with Mexico under a cross-border pilot program.

In 1999, Congress passed the Motor Carrier Safety Improvement Act (Public Law 106-159). In this Act, Congress mandated that in carrying out its duties, the Administration "shall consider the assignment and maintenance of safety as the highest priority." We must continue to use this as our guiding principle in the oversight of motor carrier transportation. Each year, more than 5,000 people are killed in large truck crashes on our Nation's roads, and more than 100,000 are seriously injured. These statistics are already far too high. We cannot afford to take a step backward in terms of safety.

DAVID GUERRA GALVAN

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2007

Mr. BACA. Madam Speaker, I stand here today to honor and remember a soldier, civil servant, loving husband, father, and grandfather, David Guerra Galvan.

David passed away on Friday, March 23, 2007 at Kaiser Hospital in Fontana, California.

He was born in San Bernardino, California, and was a resident of Rialto, my hometown, for 50 years.

David served his country in the Army during WWII as a Paratrooper in the 101st Airborne Division. He was honorably discharged with Distinguished Service from July 1944 to June 1946 and Good Conduct medals during the European Occupation. During his European service, he was transferred to the 82nd Airborne Division and assigned to a special detachment for the personal protection of General Dwight Eisenhower.

After his military service, David attended Skadron College of Business in Los Angeles. He began working for the Federal Government at Norton Air Force Base in the Defense Communications Agency as a Data Communications Operator, subsequently becoming Supervisor of the AUTODIN Switch Center. He retired after 40 years of highly commended and outstanding performance for the Air Force in November 1990.

David was an active member of the community and a close personal friend. I would often see him and his family at the 9 o'clock mass at St. Catherine of Siena Catholic Church in Rialto.

David loved to hear our daughter Jennifer singing Mariachi Music, and to dance with his beloved wife, Carmen.

After a tough day, I could always count on David to call and ask me, "Hey Trooper, how